

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:23-CV-299-MOC-DCK**

**TERECITA DEJESUS PLASENCIA and)
ROBERT PETER PAUL JAKAITIS,)**

Plaintiffs,)

v.)

LOWE’S COMPANIES, INC,)

Defendant.)

ORDER

THIS MATTER IS BEFORE THE COURT on “Plaintiffs’ . . . Motion For Sanctions” (Document No. 52) filed December 2, 2024. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and is ripe for disposition. Having carefully considered the motion and the record, the undersigned will deny the motion.

Plaintiffs, appearing without counsel, contend that Defendant deliberately attached and quoted “from privileged materials related to State v. Plasencia, Case No. 22CR369222-590 (Mecklenburg County Superior Court).” (Document No. 52, p. 1) (citing Document No. 48). Plaintiffs contend that Defendant’s action warrants sanctions. (Document No. 52, p. 2).

“Defendant’s Response To Plaintiffs’ Motion For Sanctions” (Document No. 54) was filed on December 9, 2024. Defendant contends that Plaintiffs’ request for sanctions “should be summarily denied because it lacks any factual or legal basis.” (Document No. 54, p. 2). Defendant further contends that the attachment it filed to Document No. 48 was “a copy of the public record from the Huntersville Police Department” and “[t]he document clearly states ‘Public Release Incident Report.’” Id. (citing Document No. 48-2). Defendant states that it “has not filed with the Court any ‘privileged materials’ or confidential information.” Id.

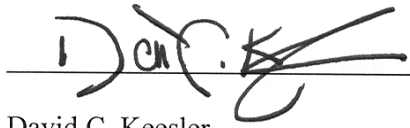
Plaintiffs have failed to file a reply brief in support of the pending motion, or a notice of intent not to reply, as required by Local Rule 7.1(e).

The undersigned finds Defendant's response to be persuasive; moreover, Plaintiffs have failed to refute that the information disclosed by Defendant was already available to the public.

IT IS, THEREFORE, ORDERED that "Plaintiffs' . . . Motion For Sanctions" (Document No. 52) is **DENIED**.

SO ORDERED.

Signed: January 22, 2025



David C. Keesler
United States Magistrate Judge

